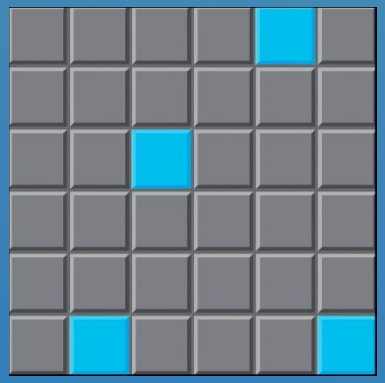


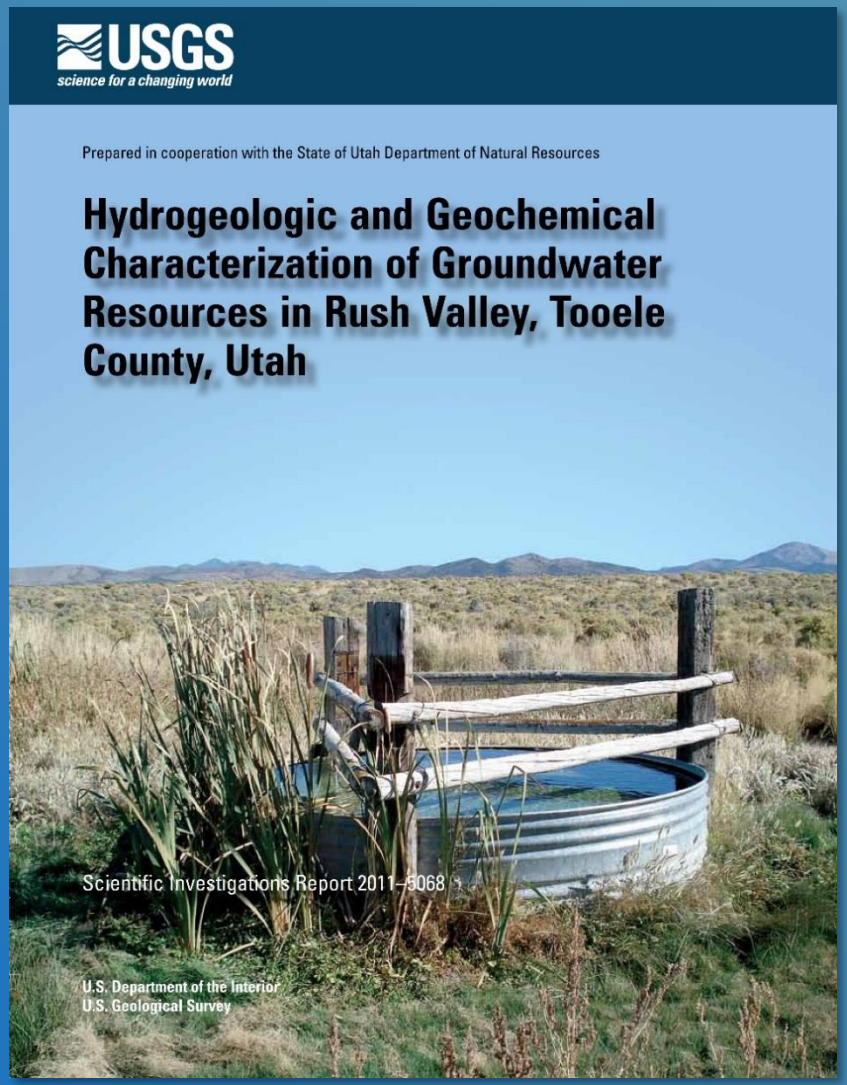
STATE OF UTAH
SCHOOL AND INSTITUTIONAL
TRUST LANDS ADMINISTRATION

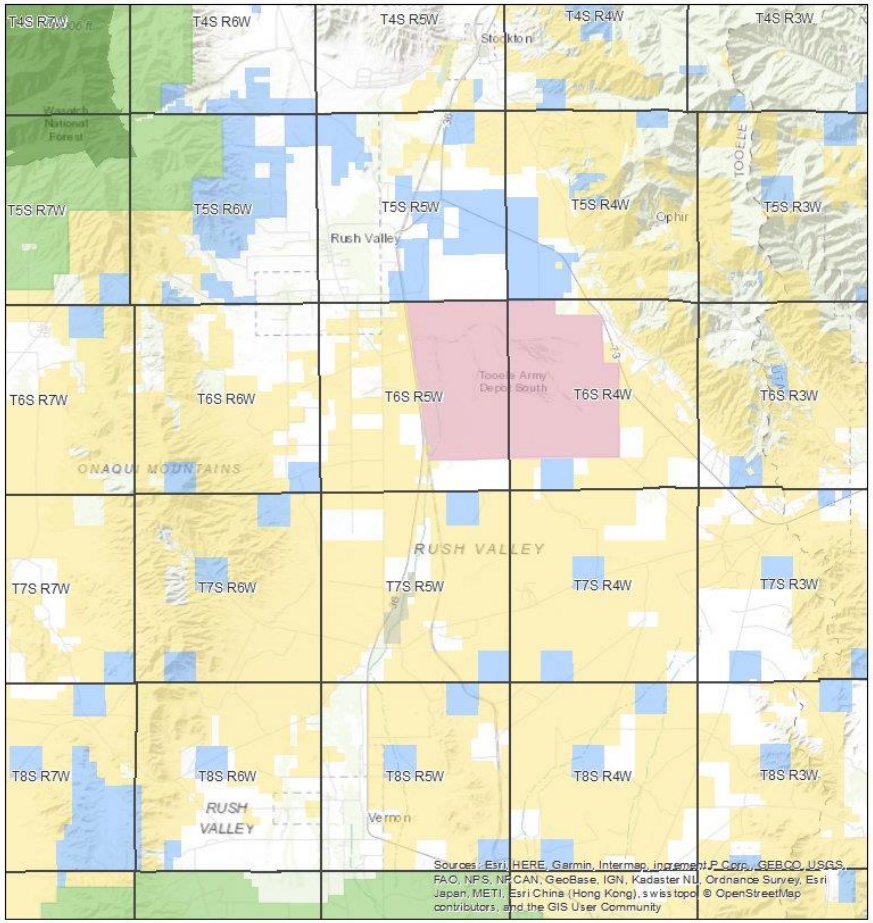
Rush Valley Water Update

SITLA Board of Trustees
November 15, 2015

Discussing Water Rights, A Western Pastime

2011 – Rush Valley USGS Study Published





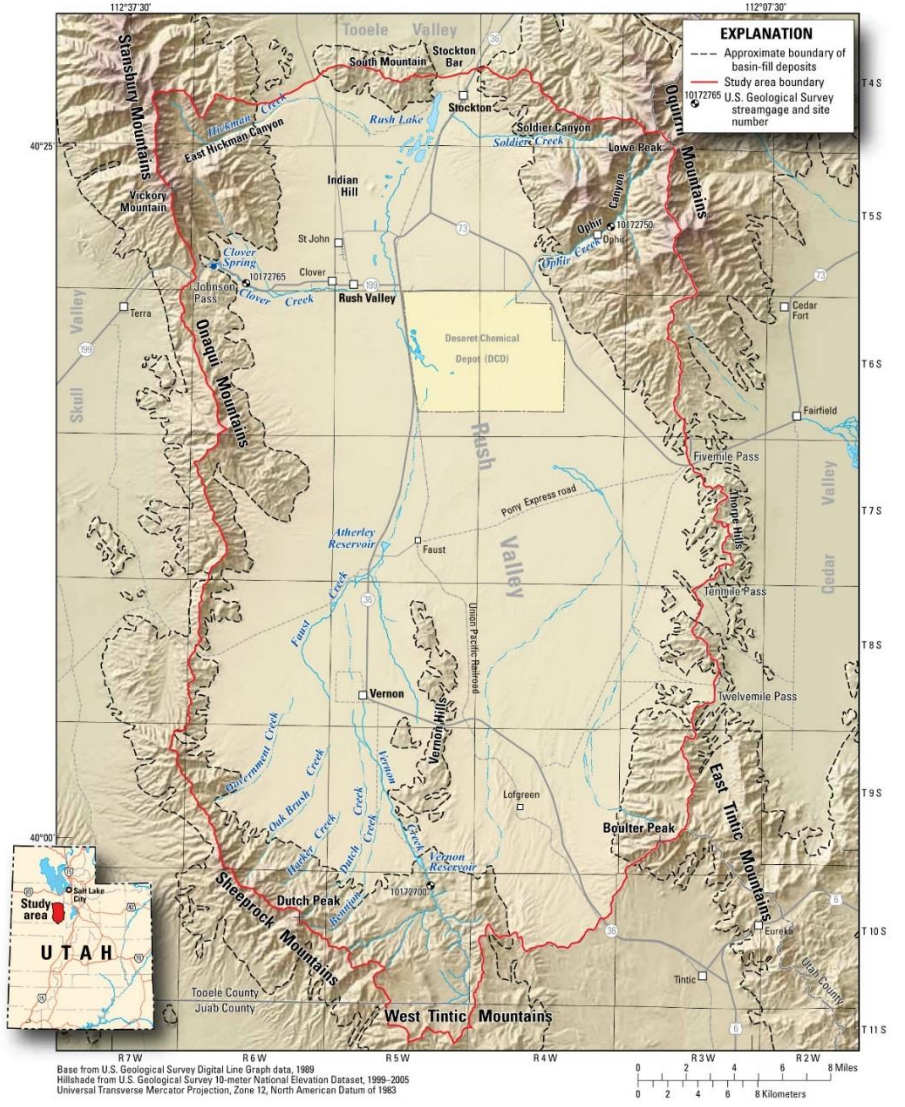


Figure 1. Location of the Rush Valley study area, Tooele County, Utah.

Current Area Policy

- Last updated 2008
- Surface Water – considered fully appropriated
- Ground Water – open to small appropriations up to 4.73 ac/ft

2011 USGS Study

- Groundwater Divide
  - Northern Rush Valley sub-basin
  - Vernon & Southeastern Rush Valley sub-basins
- Unappropriated water likely available in Northern Rush Valley

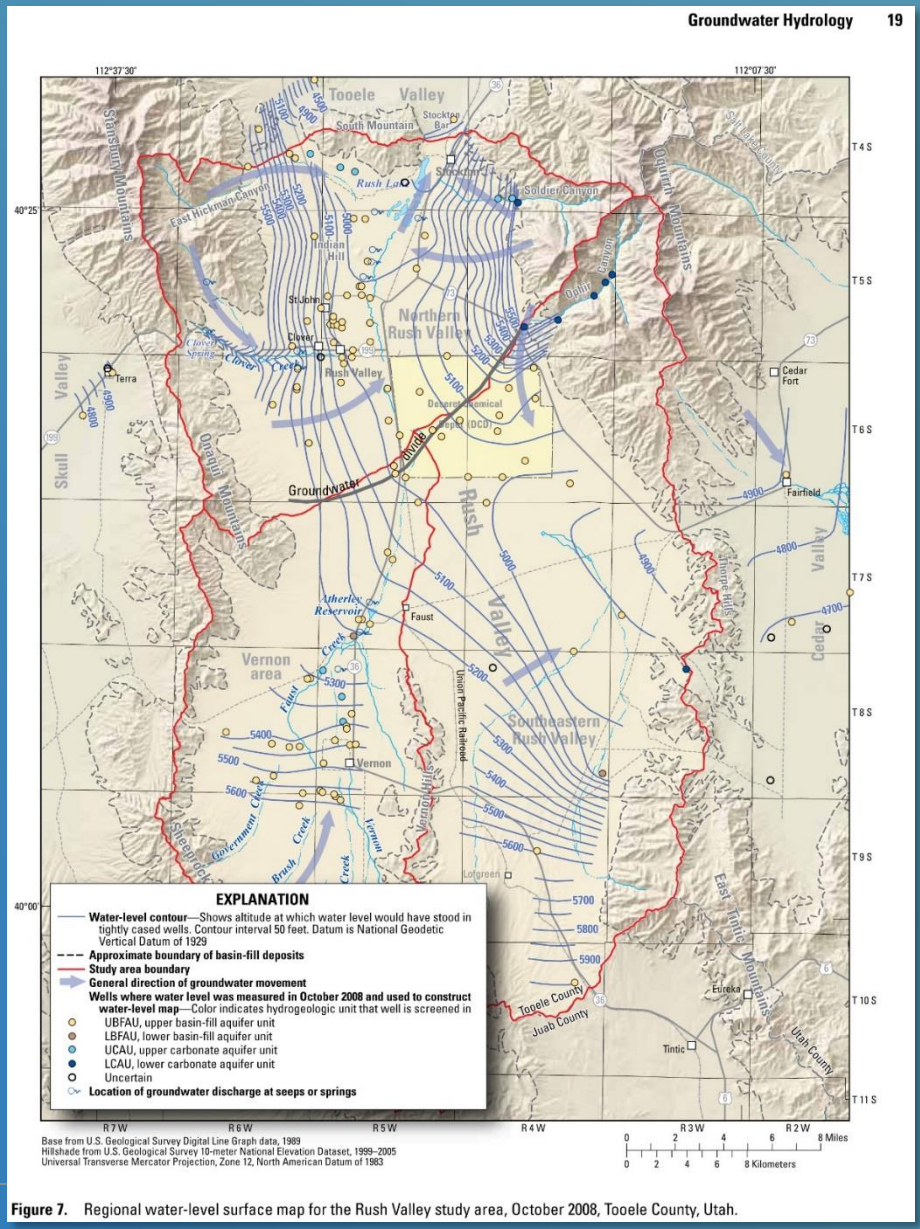


Figure 7. Regional water-level surface map for the Rush Valley study area, October 2008, Tooele County, Utah.

Timeline

- 8/10/2015 – SITLA filed four applications with DWRi
  - St. John Block & TAD Block
  - Two applications per block
  - 13 wells on each block
  - 1,500 ac/ft per application
- Multiple protests filed (61)
- 5/11/2016 – Informal Administrative Hearing
- 8/29/2017 – State Engineer decision issued

State Engineer Decision

- Limited groundwater resource available
  - 4.73 ac/ft appropriated per application
  - Conforms with current policy
- Uncertainty in 2011 USGS report – more cautious approach warranted
- Applications lack:
  - Clearly defined need
  - Description of precise beneficial use
- Raises questions regarding speculation & monopoly of water use

Request for Reconsideration

9/18/2017 – SITLA filed Request for Reconsideration

- USGS report demonstrates "reason to believe" that there is unappropriated water in Northern Rush Valley
- State Engineer should re-evaluate and update the existing policy
- Applications not filed for purposes of speculation
  - Based on real needs for development of St. John & TAD Blocks

Timeline

- 10/6/2017 – Request for Reconsideration granted
- 11/8/2018 – Public Meeting Scheduled
  - "Present data and discuss the groundwater appropriations policy for the Rush Valley Basin"

Rush Valley Public Meeting

Comparison: Recharge vs. Well Withdrawal

	Groundwater Levels	*Balanced Recharge/Discharge*	*Estimated Well Withdrawal*	*Estimated Water Surplus*
Northern	Steady	16,700	2,000	14,700
Vernon	Mostly Steady	10,400	2,900	7,500
Southeastern	Steady	2,300	300	2,000

- All numbers are in acre-feet

Rush Valley Public Meeting

Subarea Summary – Overview

SUBAREA	Balanced Recharge/ Discharge	Surplus Based on Well Withdrawal	Potential Water Right Diversion	Surplus Based on Diversion	Potential Water Right Depletion	Surplus Based on Depletion	Potential Diversion of Unapproved Applications
NORTHERN	16,700	14,700	15,164	1,536	8,561	8,139	4,510
VERNON	10,400	7,500	14,719	None	8,087	2,313	1,600
SOUTHEASTERN	2,300	2,000	3,200	None	2,436	None	5,356

Notes:

1. All numbers are in acre-feet
2. All of the unapproved applications are potentially 100% depletive.

Rush Valley Public Meeting

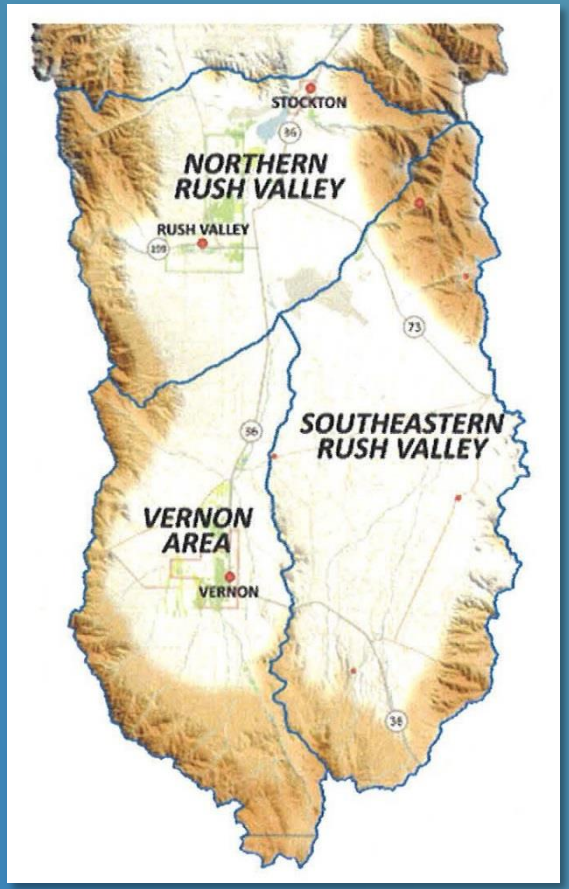
State Engineer's Concerns

- Levels of uncertainty in recharge and discharge estimates.
- Inaccuracy of well withdrawal estimates.
- Unknown outflow to Tooele Valley
- Brackish water – is the available water usable?
- Possible interference between wells
- Difference between actual use and approved/perfected water rights.
- Possibility of Increased Speculation

- Still reason to be cautious.

Proposed Policy

- Divide Rush Valley into 3 sub-basins
- No transfers between sub-basins
- New policy for each sub-basin
  - Northern – expand limit to 20 ac/ft
  - Southeastern – restrict to 1.73 ac/ft
  - Vernon – No change
- Pending applications processed based on this policy (if adopted)
- 30-day comment period (Dec. 10)



Observations/Concerns

- Appropriate to divide into sub-basins
- Significant amount of unappropriated water in Northern Rush Valley
- Basis of 20 ac/ft limit in Northern Rush Valley?
- Costly/challenging to develop groundwater
  - Need a large appropriation to justify
- Correlative rights vs. Prior appropriation
- Speculation/monopolization of water
- Legal/political options going forward